INTERNATIONAL SEABED AUTHORITY **ISBA**

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STATEMENT OF THE PRESIDENT ON THE WORK OF THE ASSEMBLY DURING THE RESUMED THIRD SESSION

1. The second part of the third session of the Assembly of the International Seabed Authority was held at Kingston, Jamaica, from 18 to 29 August 1997. In the absence of the President of the Assembly, Mr. S. Amos Wako (Kenya), owing to circumstances beyond his control, it was agreed that His Excellency José Luis Vallarta (Mexico), one of the four Vice-Presidents of the Assembly, would preside over the meetings of the Assembly.

2. The matters considered by the Assembly during this part of the session included:

(a) Protocol on the privileges and immunities of the International Seabed Authority;

(b) The annual report of the Secretary-General, as required by article 166, paragraph 4, of the Convention;

(c) The proposed budget of the Authority for 1998;

(d) Assessment of contributions of members of the Authority for 1998;

(e) The report of the Credentials Committee, as required under rule 24 of the rules of procedure of the Assembly.

Draft Protocol on the privileges and immunities of the International Seabed Authority

3. The Assembly recalled that, during the resumed second session in August 1996, an open-ended working group had been established to consider the draft Protocol on Privileges and Immunities of the International Seabed Authority.

The working group was reconvened and held six meetings under the chairmanship of Mr. Zdzislaw Galicki (Poland). As the basis for its work, the working group used a draft prepared by the Secretariat (ISBA/3/A/WP.1/Add.1) on the understanding that the revision of that document would be carried out without prejudice to the future form, title and content of the Protocol. The working group completed a first reading of the draft Protocol at the current session and circulated an informal text of a revised draft.

4. The Assembly noted that the working group would need to continue its work at an early stage of the fourth session with a view to completing its work and making a final report to the Assembly.

Annual report of the Secretary-General

5. The Secretary-General introduced his annual report, as required by article 166, paragraph 4, of the Convention (ISBA/3/A/4). In introducing the report, the Secretary-General pointed out that since it was the first such report to the Assembly, the report recalled the major events that had taken place since the establishment of the Authority as an autonomous organization on 16 November 1994, including the elections to the various organs and bodies of the Authority. Among the major items covered in the report were the relationship agreement with the United Nations, relations with other organizations, the relationship with the host country, privileges and immunities, the appointment of permanent representatives to the Authority, the substantive work of the Authority and plans for its future work.

6. The Secretary-General recalled that, in accordance with section 1, paragraph 14, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea, the administrative expenses of the Authority for 1997 were met from the regular budget of the United Nations. It was noted that, as of 1 January 1998, the administrative expenses of the Authority were to be met through the assessed contributions of members of the Authority. The Secretary-General appealed to delegations to urge their Governments to honour their commitments in that respect.

7. Many delegations expressed their satisfaction with the comprehensive and descriptive report. A number of delegations, commenting on sections C and D of part V of the report (Relations with the United Nations and other organizations), stated that while a good working relationship with the International Tribunal for the Law of the Sea was desirable, it should be borne in mind that the Tribunal was also the court to which the Authority was answerable with regard to any seabed mining dispute. It was suggested that the Secretary-General might provide a report listing organizations with which the Authority should enter into relationship agreements in conformity with the Convention. Some delegations expressed concern about the status of the proposed headquarters agreement. It was also noted that, although no formal agreement was in place regarding the temporary offices of the Authority, "rent" was being paid. The Assembly was informed that the Government of Jamaica had established a national commission to study thoroughly the issue of the headquarters and that, as an interim measure, additional space on the second floor of the current premises was to be offered to the Secretariat free of cost.

Credentials Committee

8. The Credentials Committee met on 26 August 1997 and elected Mr. Eheth Solomon (Cameroon) as its Chairman for the resumed third session. The report of the Credentials Committee is contained in documents ISBA/3/A/7 and Corr.1. At the 49th plenary meeting, on 29 August 1997, the Assembly adopted the report of the Credentials Committee (ISBA/3/A/8).

Budget of the Authority for 1998

9. The Assembly considered the proposed budget for the Authority for 1998 as contained in the report of the Secretary-General (ISBA/3/A/5 and Add.1). In reviewing the proposed budget, the Assembly took into account the recommendations of the Finance Committee as contained in its report of 22 August 1997 (ISBA/3/A/6) and the decision and recommendations of the Council relating to the budget of the Authority for 1998 (ISBA/3/C/10). The Assembly adopted the budget of the Authority for 1998 in the sum of US$ 4,703,900. In accordance with the recommendation of the Council, the Assembly also decided to establish a Working Capital Fund of $392,000, with $196,000 to be paid in 1998 and $196,000 to be paid in 1999. The decision of the Assembly relating to the budget of the Authority for 1998 and the establishment of the Working Capital Fund is contained in ISBA/3/A/9.

Assessment of contributions of members of the Authority

10. The Assembly also considered the proposed scales of assessment for the contributions of members to the administrative budget of the Authority and the Working Capital Fund and, in accordance with the recommendation of the Council, adopted a scale of assessments based on the scale used for the regular budget of the United Nations. The decision of the Assembly is contained in ISBA/3/A/10.

Request for observer status

11. As its 47th meeting, the Assembly considered a request for observer status submitted by Greenpeace International, a non-governmental organization. The Assembly granted observer status to Greenpeace International, noting that its participation in the deliberations of the various organs of the Authority would be governed by the applicable rules of procedure.

Other matters subject to the consideration of the Council

12. According to the agenda adopted during the first part of the current session (ISBA/3/A/1), the following items were to be considered by the Assembly, subject to prior consideration by the Council:

(a) Draft Agreement between the Government of Jamaica and the International Seabed Authority;

(b) Financial Regulations of the International Seabed Authority;

(c) Staff Regulations of the International Seabed Authority.

As the Council did not complete its consideration of these items, the Assembly did not have the opportunity to consider them during the current session.

Next meeting of the Assembly

13. The next session of the Authority will take place in Kingston from 16 to 27 March 1998. The programme of meetings of the various organs of the Authority will be organized in such a way as to give priority to the work of the Legal and Technical Commission and the Finance Committee during the first week of the session, with the possibility also to arrange further meetings of the working group on the Protocol on Privileges and Immunities towards the end of the first week. The meetings of the Council and the Assembly will then be scheduled for the beginning of the second week. This should not prevent members from arriving at the beginning of the session to observe the work of the Legal and Technical Commission.